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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Paul M. Stein et al.                      Docket:        P-9484.01  
Serial No.:    10/040,143                                      Group Art:    Unknown  
Filed:           January 3, 2002                              Examiner:    Unknown  
Title:            MEDICAL LEAD AND LEAD CONNECTOR SYTEM

Commissioner for Patents  
Washington, D.C. 20231  
**Attn: Special Program Law Office**

**DECLARATION AND PETITION UNDER C.F.R. §1.47**

I, Girma Wolde-Michael declare as follows:

1.     I am the patent attorney of record for the above-identified U.S. patent application entitled Medical Lead and Lead Connector System.
2.     The invention was made by Paul M. Stein, Timothy W. Holleman, Andrew J. Ries, Harry Schroder, Jordon D. Honeck, John L. Sommer, Douglas S. Hine and Vicki L. Bjorklund, all employees of Medtronic, Inc.
3.     Medtronic, Inc. intends to incorporate the invention in both current and future medical devices.
4.     This Declaration is submitted on behalf of Medtronic, Inc. to the Special Program Law Office to accord the application status under 37 C.F.R. 1.47. The facts recited herein are based on my personal knowledge unless otherwise stated.

5. Douglas S. Hine is still an employee of Medtronic, Inc. Although he has already signed the Declaration, he is truly not an inventor of the above application. Please remove him from this application.


6. Attached herewith please find the Combined Declaration/Power of Attorney executed by Paul M. Stein, Timothy W. Holleman, Andrew J. Ries, Harry Schroder, Jordon D. Honeck, John L. Sommer, and Vicki L. Bjorklund, co-inventors in the subject patent application.

7. Because of the lack of cooperation on the part of Douglas S. Hine to execute the Combined Declaration/Power of Attorney papers, and because of Medtronic's proprietary interest in the matter, his defying action under 37 C.F.R. §1.47, and because such action is necessary to preserve the rights of Medtronic, Inc. and to prevent irreparable damage otherwise, the Commissioner is respectfully requested to grant agency to Medtronic, Inc. for Douglas S. Hine.

8. A bonafide attempt has been made to comply with the provisions of 37 C.F.R. §1.47. The statements and declarations made are deemed acceptable under 37 C.F.R. §1.47, and the Commissioner is requested to deem the Assignment and the required papers sufficient in compliance with the applicable regulations.

Respectfully submitted,

Date: 05/01/02

  
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ATTORNEY DOCKET: P-9484.01 CIP1

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UNITED STATES PATENT APPLICATION  
COMBINED DECLARATION AND POWER OF ATTORNEY

As the below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; the

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: MEDICAL LEAD AND LEAD CONNECTOR SYSTEM

The specification of which

☐ is attached hereto  
☒ was filed on January 3, 2002 application serial no. 10/040,143 was amended on \_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_ filed \_\_ and as amended on \_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- ☒ no such applications have been filed.  
☐ such applications have been filed as follows:

## FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

## ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

<sup>1</sup> § 1.56 Duty of disclosure; fraud, striking or rejection of applications.

- (a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

John W. Albrecht  
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Reg. No. 41,455  
Reg. No. 36,713  
Reg. No. 30,724  
Reg. No. 36,726

Please direct all correspondence in this case to: Michael C. Soldner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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